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CANADA'S NEW GOVERNMENT INTRODUCES *THE NUNAVIK INUIT LAND CLAIMS AGREEMENT ACT*

2-2855

OTTAWA (March 28, 2007) - The Honourable Jim Prentice, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians today tabled the Nunavik Inuit Land Claims Agreement Act in the House of Commons.

Passage of this Act would bring into effect the agreement signed on December 1, 2006 by the Makivik Corporation, the Government of Nunavut and Canada's New Government.

"The enactment of the Nunavik Inuit Land Claims Agreement Act will settle a longstanding claim and will create significant economic opportunity for the people of Nunavik," said Minister Prentice. "There will be clarity and certainty over rights to ownership and the use of lands and resources that will foster a stable environment for future development and investment in the area."

"The fact that Nunavik Inuit ownership of 80% of the islands will now be officially recognized makes us extremely satisfied," said Pita Aatami, President of Makivik Corporation. The corporation represents approximately 10,000 Inuit who reside in 15 communities along the coast of Ungava Bay and the eastern shore of Hudson Bay. "In our minds we had never given up these islands to anyone, we have been sheltered in them and they have been sources of our food and will continue to be so."

The agreement settles unresolved issues stemming from the James Bay and Northern Quebec Agreement, to which the Inuit of Nunavik are signatories. It covers the Nunavut offshore region adjacent to Quebec including the islands and waters along the shores of James Bay, Hudson Bay, Hudson Strait and Ungava Bay, as well as a portion of northern Labrador and an offshore area adjacent to Labrador.

Upon Royal Assent, the Nunavik Inuit would own and have both surface and sub-surface rights over about 80 per cent of the total area of the islands in the Nunavik Marine Region, an area of approximately 5,100 square kilometres. In addition, approximately 400 square kilometres in Hudson Bay will be jointly owned with the Crees of Eeyou Istchee. The Nunavik Inuit have already independently negotiated three successful overlap agreements with their neighbours -- the Crees of Eeyou Istchee, the Labrador Inuit and the Nunavut Inuit -- providing clarity and certainty among the neighbouring aboriginal groups on such issues as harvesting rights and land use issues.

A separate agreement is currently being negotiated by the Nunavik Inuit, Canada's New Government and the Government of Québec to address issues of governance in the region.

The financial component of the agreement includes a capital transfer of about $54.8 million over nine years, $40.1 million to implement the agreement over 10 years, an additional $38.7 million which will include costs such as financial compensation for the resolution of Nunavik Inuit claims in Labrador, and the Parks Impact and Benefits Agreement for the Torngat Mountains National Park Reserve, as well as a share of resource royalties in the Nunavik Marine Region.

In addition, passage of the Nunavik Inuit Land Claims Agreement Act would give national park status to the Torngat Mountains National Park Reserve of Canada, creating a new national park of approximately 9,700 square kilometres of the Arctic wilderness in Labrador.

"Today's news is exciting," said the Honourable John Baird, Minister of the Environment and Minister responsible for Parks Canada. "The creation of Torngat Mountains National Park of Canada will contribute to the protection of this spectacular natural area for all Canadians."

In October 2006, 78 per cent of eligible voters supported the agreement when a ratification vote was held in the15 Nunavik Inuit communities.

Passage of the legislation by Parliament is the final stage of ratification and will bring the agreement into force and effect.

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Backgrounder - The Nunavik Inuit Land Claims Agreement

Frequently Asked Questions the Nunavik Inuit Land Claims Agreement

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BACKGROUNDER - The Nunavik Inuit Land Claims Agreement

THE AGREEMENT IN BRIEF

Agreement

The Nunavik Inuit Land Claims Agreement addresses the use and ownership of Nunavut land and resources in James Bay, Hudson Bay, Hudson Strait and Ungava Bay, as well as a portion of northern Labrador and an offshore area adjacent to Labrador. The Governments of Canada and Nunavut and Makivik Corporation, an organization that represents about 10,000 Inuit in Nunavik, signed the Nunavik Inuit Land Claims Agreement on December 1, 2006.

Settlement Area

The Nunavik Inuit Settlement Area is comprised of two areas:

1. The Nunavik Marine Region, which covers the Nunavut offshore islands adjacent to Québec, the intervening waters, and the offshore islands including the ice that separates them.

2. The Labrador portion of the Nunavik Inuit Settlement Area, which covers an offshore area adjacent to Labrador from Killinik Island to just north of Hebron and an onshore portion in northern Labrador, consistent with the boundaries of the Torngat Mountains National Park Reserve of Canada.

Lands

The Nunavik Inuit will own and have surface and subsurface rights to 80 percent of the total area comprised by the islands in the Nunavik Marine Region, an expanse of approximately 5100 square kilometers. In addition, approximately 400 square kilometres will be shared with the Crees of Eeyou Istchee in a joint zone. Nunavik Inuit Lands will include all lands above the ordinary high water mark, and the mines and minerals found within, upon or under them.

Overlaps

The Nunavik Inuit Land Claims Agreement reflects three successful overlap agreements between the Nunavik Inuit and each of three other Aboriginal groups in the region: the Nunavut Inuit, the Crees of Eeyou Istchee and the Labrador Inuit.

Torngat Mountains National Park Reserve of Canada

The Nunavik Inuit Land Claims Agreement, once approved and ratified through legislation by Parliament, would give national park status to the Torngat Mountains National Park Reserve of Canada. The park will be approximately 10,000 square kilometres, extending from Saglek Fjord in the south to the northern tip of Labrador, and from the provincial boundary of Québec in the west to the Labrador Sea in the east. The new park will protect an area of spectacular Arctic wilderness, home to a variety of wildlife and numerous archaeological sites.

Wildlife management and harvesting

The Nunavik Marine Region Wildlife Board will be established as an institution of public government to manage and regulate wildlife. Nunavik Inuit will have the right to harvest any species of wildlife in the Nunavik Marine Region to fulfil their economic, social and cultural needs, unless the board establishes a limit in accordance with the terms of the agreement. Nunavik Inuit harvesting will take priority over other forms of harvesting.

Capital Transfers

Canada will provide a capital transfer of $54.8 million, calculated in 2005 dollars, to the Nunavik Inuit Trust, to be paid out over nine years from the effective date of the agreement.

Resource Royalty

Nunavik Inuit will be entitled to receive annual royalties from the Government of Canada based on resource development in the Nunavik Marine Region. This amount will equal 50% of the first $2 million and 5% of any additional resource royalties received by the Government that year.

Implementation

Canada will make a one-time payment and ongoing implementation funding payments totalling some $40.1 million in the first 10 years of the agreement to support federal implementation funding obligations. This includes $36.6 million to Makivik and the Nunavik Inuit Trust, and $3.5 million for the Government of Nunavut obligations. Additionally, Canada will pay to Makivik and the Nunavik Inuit Trust $38.7 million which will include costs such as financial compensation for the resolution of Nunavik Inuit claims in Labrador, and the Parks Impact and Benefits Agreement for the Torngat Mountains National Park Reserve.

Certainty

The Nunavik Inuit Land Claims Agreement will provide for certainty over lands and resources with respect to the Aboriginal rights of Nunavik Inuit.

Ratification

In October 2006, Makivik Corporation held a ratification vote in 15 Inuit communities across Nunavik. An overwhelming 78 per cent of Nunavik Inuit endorsed the Agreement, with voter turnout at 81 per cent.

Canada's New Government introduced legislation in the House of Commons. Upon passage of the proposed legislation by Parliament, the Governor-in-Council will set a date for the agreement to come into force.

KEY MILESTONES OF THE NUNAVIK INUIT LAND CLAIMS NEGOTIATIONS

August, 1993 - The Government of Canada and Makivik Corporation began Agreement-in-Principle negotiations.

October 25, 2002 - Signing of the Agreement-in-Principle.

November 15, 2005 - Representatives of all parties initialled the Nunavik Inuit Land Claims Agreement.

December 1, 2006 - Signing of the Nunavik Inuit Land Claims Agreement by Makivik Corporation, the Government of Nunavut and Canada's New Government.

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FREQUENTLY ASKED QUESTIONS
THE NUNAVIK INUIT LAND CLAIMS AGREEMENT

Q1. What is the Nunavik Inuit Land Claims Agreement?

A. The Nunavik Inuit Land Claims Agreement provides the Nunavik Inuit with clearly defined and constitutionally protected land and resource rights. Clarity about land title and resource use provides a more stable environment for future development and investment in the area covered by the Nunavik Inuit Land Claims Agreement.

The Nunavik Inuit Land Claims Agreement is intended to promote the long-term economic and social development of Nunavik Inuit. It does not contain a self-government component.

Q2. Who are the Nunavik Inuit?

A. The Nunavik Inuit are approximately 10,000 Inuit who reside in 15 communities along the coast of Ungava Bay and the eastern shore of Hudson Bay. They claim Aboriginal rights in their traditional territory which includes the Nunavut offshore islands and waters in the Nunavik Marine Region.

Q3. The Nunavik Inuit Land Claims Agreement was signed on December 1, 2006. What are the next steps?

A. The Government of Canada and Makivik Corporation have distinct processes for ratification.

On October 2006, Makivik Corporation held a ratification vote in 15 Inuit communities across Nunavik. An overwhelming 78 per cent Inuit endorsed the Nunavik Inuit Land Claims Agreement, with voter turnout at 81 per cent.

Canada's New Government introduced the Nunavik Inuit Land Claims Agreement Actin the House of Commons. Upon passage of the proposed legislation by Parliament, the Governor-in-Council would set the date for its coming into force.

Q4. What area does the Nunavik Inuit Land Claims Agreement cover?

A. The Nunavik Inuit Settlement Area is comprised of two areas. The Nunavik Marine Region, which covers the Nunavut offshore islands adjacent to Quebec, the intervening waters, and the offshore lands including the ice that separates them; and the Labrador portion of the Nunavik Inuit Settlement Area, which covers an offshore area adjacent to Labrador from Killinik Island to just north of Hebron and an onshore portion in northern Labrador, consistent with the boundaries of the Torngat Mountains National Park Reserve of Canada.

Q5. Why are the Nunavut offshore islands significant to the Nunavik Inuit if they are not residents of the islands?

A. Although the Nunavik Inuit are not permanent residents on the offshore islands, they have claimed the islands and surrounding marine region as part of their traditional territory where they have always hunted, harvested and fished.

Q6. Who are recognized as beneficiaries of the Nunavik Inuit Land Claims Agreement?

A. Those individuals on the Inuit Beneficiaries List for the James Bay and Northern Québec Agreement will be eligible to be enrolled as beneficiaries under the Nunavik Inuit Land Claims Agreement.

Q7. As a result of the Nunavik Inuit Land Claims Agreement, what rights will the Nunavik Inuit enjoy and where?

A. Nunavik Inuit will own in fee simple almost 80% of the total area comprised by the islands in the Nunavik Marine Region, an area of approximately 5100 square kilometers. In addition, approximately 400 square kilometers in Hudson Bay will be jointly owned with the Crees of Eeyou Istchee. Surface and subsurface rights will be provided to Nunavik Inuit on their lands.

Nunavik Inuit will have the right to harvest any species of wildlife in the Nunavik Marine Region for economic, social and cultural needs. They will also be allocated a specified portion of the total allowable catch for the commercial harvesting of identified species of fish in the Southern Davis Strait Zone and the Northern Davis Strait Zone.

In Labrador, harvesting rights will be provided within the boundaries of the current Torngat Mountains National Park Reserve, an area of approximately 9,700 square kilometres.

Offshore Labrador, the Nunavik Inuit will have rights to commercial fishing and aquatic plant gathering. They will be issued 10% of any additional licences in specified areas for certain species.

Q8. As a result of the Nunavik Inuit Land Claims Agreement, how will federal and territorial governments divide the resource royalties payments to Makivik?

A. When both the federal and Nunavut governments receive resource royalties with respect to the Nunavik Marine Region in a given year, the federal government will pay 50% of the first $2 million of resource royalty received that year and the federal and Nunavut governments will each pay 5% of any additional resource royalties they each received that year.

In the event the federal government receives less than $2 million of resource royalties with respect to the Nunavik Marine Region, it will pay Makivik 50% of the amount it does receive.

If the Nunavut government receives additional resource royalties in the Nunavik Marine Region, the Nunavut government will pay 50% of that portion of the resource royalty it received that, when added to the amount received by the federal government, equals no more than $2 million.

And if the Nunavut government receives further resource revenue dollars, above the $2 million threshold, then it will also pay to Makivik 5% of that additional resource royalty it received that year.

Q9. As the result of the Nunavik Inuit Land Claims Agreement, will the Nunavik Inuit have input on environmental issues in the area?

A. The Nunavik Inuit will be able to participate in the development of land use plans for resource use and development in the Nunavik Marine Region and the consideration of applications for project proposals in the area.

Q10. Does the Nunavik Inuit Land Claims Agreement provide Nunavik Inuit self-government?

A. No. The Agreement addresses only land and resource issues and does not include a self-government component. It was not necessary to include a self-government component in the Nunavik Inuit Land Claims Agreement because there are no permanent residents on the islands

being claimed.

Q11. Is self-government of the Nunavik Inuit being addressed elsewhere?

A. A separate agreement is currently being negotiated by the Nunavik Inuit, Canada's New Government and the Government of Québec to address public government for Inuit and non-Inuit alike in this region.

Q12. How will the Nunavik Inuit Land Claims Agreement affect Nunavik Inuit women?

A. The Nunavik Inuit Land Claims Agreement makes no distinction based on gender. Nunavik Inuit women will have equal access to all rights and benefits provided by it. Nunavik Inuit women already have a strong voice in the community and play a major role in any decision making.

Q13. How does Canada benefit from the Nunavik Inuit Land Claims Agreement?

A. The Nunavik Inuit Land Claims Agreement will provide for certainty over the use and ownership of lands and resources in the Nunavik Marine Region and in Labrador, onshore and offshore. It constitutes the full and final settlement of the Aboriginal rights of Nunavik Inuit in Canada and exhaustively sets out the rights in Canada of Nunavik Inuit that are recognized and affirmed by section 35 of the *Constitution Act, 1982*.

The Nunavik Inuit Land Claims Agreement will also provide the Nunavik Inuit with the opportunity to enhance their participation in the economy of the region. For example, through the lands, resources and financial benefits they receive from the Nunavik Inuit Land Claims Agreement, the Nunavik Inuit will be better situated to undertake new business ventures or partnerships. As new economic development initiatives get underway, jobs and other opportunities will likely be created from which the Nunavik Inuit and non-Inuit in the region will benefit.

Q14. What are the total loans owed by the Nunavik Inuit and when will they be repaid?

A. Makivik Corporation, on behalf of the Nunavik Inuit, was provided $12 million in loan funding. The full amount will be repaid to the federal government over nine years.

Q15. As a result of the Nunavik Inuit Land Claims Agreement, when will the benefits begin to flow to the Nunavik Inuit?

A. Benefits will begin to flow to the Nunavik Inuit on the effective date of the Nunavik Inuit Land Claims Agreement. This date will be set by the Governor in Council, following the passage of federal implementing legislation.

Q16. Does the Nunavik Inuit Land Claims Agreement provide for certainty over the Aboriginal rights of the Nunavik Inuit?

A. Nunavik Inuit Aboriginal rights on the Québec side of the Québec-Nunavut boundary were clarified under the James Bay and Northern Québec Agreement concluded in 1975. Those on the Nunavut side are addressed in the Nunavik Inuit Land Claims Agreement. As a result, all Aboriginal rights of the Nunavik Inuit are those as set out in the two agreements.

Q17. What is the status of the Torngat Mountains National Park Reserve of Canada?

A. The Nunavik Inuit Land Claims Agreement, once approved and ratified through legislation by Parliament, will amend the *Canada National Parks Act* to create the Torngat Mountains National Park of Canada.

Q18. What benefits will the Nunavik Inuit enjoy with respect to Torngat Mountains National Park of Canada?

A. The Nunavik Inuit Park Impacts and Benefits Agreement addresses those matters related to Torngat Mountains National Park of Canada that could be expected to confer a benefit to Nunavik Inuit, or that might have a detrimental impact on Nunavik Inuit. Highlights of this agreement include:

- Recognition that the national park will highlight the integral role that Nunavik Inuit play in preserving the natural ecosystems of the area, and present the cultural history of the national park lands.
- Payment of $1 million to Makivik Corporation to assist Nunavik Inuit and Nunavik Inuit enterprises to take advantage of economic and employment opportunities associated with the national park.
- Provision for the ongoing use by Nunavik Inuit of the national park, including the removal of carving stone and the continued use of traditional campsites.
- Enlargement of the Cooperative Management Board to include two Nunavik Inuit members appointed by Makivik Corporation to advise the federal Minister responsible for Parks Canada on all matters related to the management of the national park. Current members are Parks Canada, and the Nunatsiavut Government, which represents Labrador Inuit.

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